

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

KHOA DANG NGUYEN,

CASE NO. 5:14-cv-01567 EJD

Plaintiff(s),

**ORDER DISCHARGING ORDER TO  
SHOW CAUSE**

v.

THE GENERAL INSURANCE,

Defendant(s).

On June 17, 2014, the court issued an order requiring Plaintiff Khoa Dang Nguyen (“Plaintiff”) to show cause why this action should not be dismissed for lack of subject matter jurisdiction. See Docket Item No. 9. As the court explained - and as its colleague had found previously - the Complaint did not establish federal jurisdiction based on diversity because the amount in controversy did not exceed 75,000. See Docket Item No. 9.

In response, Plaintiff filed an amended complaint on June 20, 2014, which, liberally construed, asserts an amount that exceeds the requirement for jurisdiction under 28 U.S.C. § 1332. Since complete diversity of citizenship is also alleged, the court finds that Plaintiff has satisfied the requirements of the show cause order.

Accordingly, the Order to Show Cause issued June 17, 2014, is DISCHARGED, and this case may proceed at this time. As such, Plaintiff is advised to do the following:

1. Plaintiff must complete and then bring to the clerk’s office at least two copies of the form “Summons in a Civil Action” (Form AO 440), so that the Summons may be


issued by the Clerk of Court.

2. Once the Summons is issued by the clerk, Plaintiff must serve Defendant with the pleadings using an authorized method for service of process no later than **August 2, 2014**. Failure to do so may result in the dismissal of this action pursuant to Federal Rule of Civil Procedure 4(m).

The court further advises Plaintiff that assistance with accomplishing the items listed above may be available through The Federal Legal Assistance Self-Help Center at the San Jose Courthouse (FLASH). Appointments can be made Mondays through Wednesdays by calling (408) 297-1480.

**IT IS SO ORDERED.**

Dated: June 24, 2014

  
EDWARD J. DAVILA  
United States District Judge